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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
BAY-310

In re Application of: BAYCHAR

Application No.: 08/910,115

Filed: August 13, 1997

For: WATERPROOF/BREATHABLE TECHNICAL APPAREL

The owner, Solid Water Holdings, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 6,048,810 as the term of said prior patent is defined in 35 USC 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
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- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

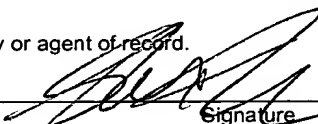
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2. ☒ The undersigned is an attorney or agent of record.

Reg. No. 34,663


SignatureFebruary 24, 2005
DateShrinath Malur
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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